IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 8933 of 1998

Between:

Sakala Baktula Sankaranarayana, S/o. Ganga Rao.
Kota Bommali, Srikakulam District

..... PETITIONER

AND

1 The Commercial Tax Officer, Narsannapeta,
Srikakulam District
2 The Collector,
Srikakulam. Srikakulam District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring the notice of demand dated 25/03/1998 issued by the 1st Respondent as illegal and void and to restrain the respondents herein from taking further steps or selling the attached property pursuant to the notice of demand dated 25/03/1998 issued by the 1st Respondent.

Counsel for the Petitioner: MR.T.SESHAGIRI RAO

Counsel for the Respondents: Mr.K.Raji Reddy

Special Standing Counsel

The Court made the following :

ORDER: (per BRSR.J)

None appears on behalf of the petitioner to press this writ petition for hearing. That a perusal of the docket discloses that even on 27.4.2005 when the matter was taken up for hearing, none appeared on behalf of the petitioner.

We have heard the learned Special Standing Counsel for the department and perused the affidavit filed in support of the writ petition. The petitioner without challenging the order of assessment, had chosen to challenge the consequential notice of demand dated 25.3.1998 issued by the 1st respondent. In our considered opinion, the writ petition is totally misconceived. The petitioner instead of questioning the orders of assessment, if he is aggrieved, had chosen to question the consequential notice of demand dated 25.3.1998 issued by the 1st respondent, which in our considered opinion is a mis-conceived one.

We find no merit in the writ petition and the same shall accordingly stand dismissed. No costs.

SD/-M. SIVA NARAYANA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commercial Tax Officer, Narsannapeta,
Srikakulam District
2 The Collector,
Srikakulam. Srikakulam District

4. 2 CD copies.

Aps.

DATED:7/6/2005

ORDER

WP.NO.8933 OF 1998

DISMISSING THE WP

WITHOUT COSTS.